

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

ROGER DALE JARRELL

PLAINTIFF

v.

CAUSE NO. 1:16CV427-LG-LRA

**COMMISSIONER OF
SOCIAL SECURITY**

DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATION

BEFORE THE COURT is the Report and Recommendation [17] entered by United States Magistrate Judge Linda R. Anderson. Judge Anderson recommends that the Motion to Dismiss [15] filed by the Commissioner of Social Security should be granted and that the social security appeal filed by Roger Dale Jarrell should be dismissed with prejudice as untimely. Jarrell has not filed an objection to the Report and Recommendation.

Where no party has objected to the Magistrate Judge's report and recommendation, the Court need not conduct a de novo review of it. *See* 28 U.S.C. § 636(b)(1) ("A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings and recommendations to which objection is made.") In such cases, the Court need only satisfy itself that there is no clear error on the face of the record. *Douglass v. United Serv. Auto Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996).

Having conducted the required review, the Court finds that Judge Anderson's Report and Recommendation is neither clearly erroneous nor contrary to law. Therefore, the Report and Recommendation is adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Report and Recommendation [17] entered by United States Magistrate Judge Linda R. Anderson is **ADOPTED** as the opinion of this Court. The Commissioner's decision is **AFFIRMED**. The Court will enter a separate judgment pursuant to Fed. R. Civ. P. 58.

IT IS, FURTHER, ORDERED AND ADJUDGED that the Motion to Dismiss [15] filed by the Commissioner of Social Security is **GRANTED**.
SO ORDERED AND ADJUDGED this the 19th day of December, 2017.

s/ *Louis Guirola, Jr.*
LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE